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Bib Data Sheet

#7  
CONFIRMATION NO. 7617

<b>SERIAL NUMBER</b> 09/954,711	<b>FILING DATE</b> 09/18/2001 <b>RULE</b>	<b>CLASS</b> 705	<b>GROUP ART UNIT</b> 2152	<b>ATTORNEY DOCKET NO.</b> 3085.1000-004
<b>APPLICANTS</b> Arthur L. Zaifman, Marblehead, MA; Stephen J. Ciavaglia, Merrimack, NH;				
<b>** CONTINUING DATA *****</b> THIS APPLN CLAIMS BENEFIT OF 60/233,395 09/18/2000 AND IS A CIP OF 09/954,471 09/17/2001 ABN				
<b>** FOREIGN APPLICATIONS *****</b>				
<b>IF REQUIRED, FOREIGN FILING LICENSE GRANTED</b> <b>** 10/29/2001</b>				
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance Verified and Acknowledged _____ Examiner's Signature Initials		<b>STATE OR COUNTRY</b> MA	<b>SHEETS DRAWING</b> 12	<b>TOTAL CLAIMS</b> 99
		<b>INDEPENDENT CLAIMS</b> 5		
<b>ADDRESS</b> HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 Virginia Road P.O. Box 9133 Concord, MA 01742-9133				
<b>TITLE</b> System resource availability manager				
<b>FILING FEE RECEIVED</b> 2460	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Arthur L. Zaifman and Stephen J. Ciavaglia

Application No.:

09/954,711

Group:

2162

Filed:

September 18, 2001

Examiner:

Not Assigned

For:

SYSTEM RESOURCE AVAILABILITY MANAGER:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202

on July 2, 2002

Date

Signature

Mariah Moorhead

Typed or printed name of person signing certificate

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Technology Center 2100

Assistant Commissioner for Patents

P.O. Box 2327

Arlington, VA 22202

Sir:

Transmitted herewith is a Preliminary Amendment for filing in the above-identified application.

[ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)

(COL. 2)

(COL. 3)

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	99	MINUS	* 99	0
INDEP	5	MINUS	** 5	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 9	\$ 0
X	\$42	\$ 0
+	\$140	\$ 0

OTHER THAN  
SMALL ENTITY

	RATE	ADDIT. FEE
X	\$18	\$ 0
X	\$84	\$ 0
+	\$280	\$ 0

OR

\* not fewer than 20

\*\* not fewer than 3

TOTAL = \$ 0

TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
		\$	_____
		\$	_____
		TOTAL:	\$ <u>0</u>

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
		\$	_____
		\$	_____
		TOTAL:	\$ <u>0</u>

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

David J. Tibbodeau, Jr.

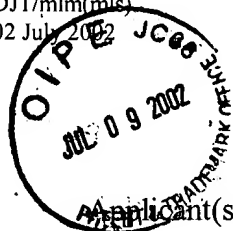
Registration No.: 31,671

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Concord, Massachusetts 01742-9133

Dated: 02 July 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Arthur L. Zaifman and Stephen J. Ciavaglia  
Application No.: 09/954,711 Group: 2162  
Filed: September 18, 2001 Examiner: Not Assigned  
For: SYSTEM RESOURCE AVAILABILITY MANAGER

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>July 2, 2002</u>	<u><i>Mariah Moorhead</i></u>
Date	Signature
<u>Mariah Moorhead</u>	
Typed or printed name of person signing certificate	

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SECOND REQUEST FOR CORRECTED FILING RECEIPT  
FOR UTILITY APPLICATION

Office of Initial Patent Examination  
Customer Service Center  
Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

We hereby request that the following items of information be added to the Filing Receipt for the subject application received in this office on March 19, 2002.

The errors and corrections appear below.

As the last line of the domestic priority data as claimed by applicants section, please add:

--- and is a Continuation-in-Part of U.S. Application 09/954,471 filed September 17, 2001.---

The applicants' intent to claim the benefit of this prior application is evident from the declaration of the inventors filed December 20, 2001 (copy enclosed).

Enclosed is a copy of the Filing Receipt with changes noted in red and a copy of the Declaration for Patent Application.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in this and, if applicable, any other affected applications.

We respectfully request correction of the filing receipt to properly reflect this claim of priority.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

David J. Thibodeau, Jr.

Registration No.: 31,671

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Concord, MA 01742-9133

Date: 02 July 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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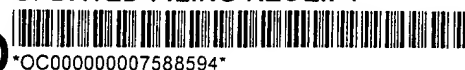
APPLICATION NUMBER	FILING DATE	SRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/954,711	09/18/2001	2162	2460	3085.1000-004	12	99	5

CONFIRMATION NO. 7617

UPDATED FILING RECEIPT

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road  
P.O. Box 9133  
Concord, MA 01742-9133

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\*OC000000007588594\*

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Technology Center 2100

Date Mailed: 03/13/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Arthur L. Zaifman, Marblehead, MA;  
Stephen J. Ciavaglia, Merrimack, NH;

**Assignment For Published Patent Application**

Tenor Networks, Inc., Acton, MA;

**Domestic Priority data as claimed by applicant**

THIS APPLN CLAIMS BENEFIT OF 60/233,395 09/18/2000 *AND IS A CONTINUATION-IN-PART OF U.S. APPLICATION 09/954,471 FILED SEPTEMBER 17, 2001*

**Foreign Applications**

If Required, Foreign Filing License Granted 10/29/2001

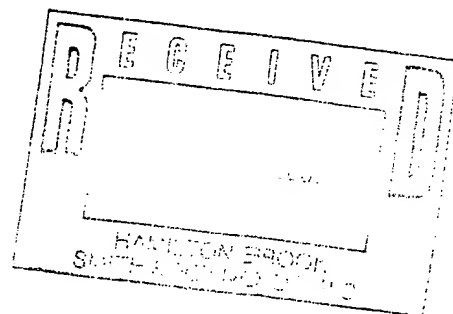
Projected Publication Date: 06/13/2002

Non-Publication Request: No

Early Publication Request: No

**Title**

System resource availability manager



**Preliminary Class**

705

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**NOT GRANTED**

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